

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WALLACH=27A

In re Application of:)	Conf. No.: 3756
)	
David WALLACH et al.)	Art Unit: 1633
)	
Appln. No.: 10/761,370)	Examiner: I. Popa
)	
Filed: January 22, 2004)	Washington, D.C.
)	
For: MODULATORS OF THE FUNCTION OF)	October 29, 2008
RECEPTORS OF THE TNF/NGF)	
RECEPTOR)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated April 29, 2008, of the Primary Examiner. The claims appealed are claims 1 and 17-19.

The item(s) checked below are appropriate:

 Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XX The fee has been calculated as shown below:

XX \$540.00

 \$270.00 (small entity)

 Not required (fee paid in prior appeal)

XX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 65.00

[] Second - \$245.00

[] Third - \$555.00

month after time period set

Other Than Small Entity

Response Filed Within

[] First - \$ 130.00

[] Second - \$ 490.00

[XX] Third - \$1110.00

month after time period set

[XX] Less fees (\$120.00) already paid for 1 months extension of time on August 29, 2008.

XX Credit Card Payment, is attached, authorizing the amount of \$ 1,530.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: /rlb/
Roger L. Browdy
Registration No. 25,618

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528